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COUNSEL FOR THE DEBTOR IN POSSESSION

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

IN RE:	§	Chapter 11
	§	
1300 CAMPBELL, L.P.,	§	Case No. 09-36300-SGJ-11
	§	
Debtor.	§	Hearing Set: December 3, 2009 at 1:30 p.m.

**MOTION FOR CONTINUANCE OF HEARING ON MOTION OF GE COMMERCIAL  
FINANCE BUSINESS PROPERTY CORPORATION FOR RELIEF FROM STAY  
PURSUANT TO 11 U.S.C. § 362(d)(1) and (2)**

TO THE HONORABLE STACEY G. C. JERNIGAN, UNITED STATES BANKRUPTCY JUDGE:

COMES NOW, 1300 Campbell, L.P., ("Campbell" or "Debtor") and files this Motion for Continuance of Hearing on GE Commercial Finance Business Property Corporation for Relief from Stay Pursuant to 11 U.S.C. §362(d)(1) and (2) (the "Motion") and in support thereof would respectfully show the Court as follows:

1. Campbell filed a Voluntary Petition for relief under chapter 11 of the United States Bankruptcy Code on September 25, 2009. Campbell has continued to operate as a debtor-in-possession pursuant to 11 U.S.C. §§ 1107 and 1108.

2. On October 28, 2009, the Court set a Status Conference to be held in connection with

this proceeding on November 30, 2009 at 10:30 a.m.

3. On November 4, 2009, GE Commercial Finance Business Property Corporation fka General Electric Capital Business Asset Funding Corporation ("GE Commercial ") filed its Motion for Relief from Stay (the "GE Commercial Motion"). The GE Commercial Motion is set for preliminary hearing on December 3, 2009.

4. This day, Debtor is filing a series of motions seeking (x) approval of a lease amendment and waiver of holdover provisions; (y) approval of debtor in possession financing; and (z) use of cash collateral and authorization to commence adequate protection payments. Although expedited consideration is sought with respect to the Debtor's motions, a November 30, 2009 hearing on those motions only allows for 10 days advance notice, a substantial portion of which is weekends and the Thanksgiving holiday.

5. From communications with the Court's Courtroom Deputy, Debtor counsel understands hearing the Debtor's motions on December 3, 2009 is unlikely due to the Court's crowded calendar. On the other hand, there may be time on December 7, 2009 for the status conference, GE Commercial Motion and the Debtor's motions to be heard together.

6. It is appropriate that the Status Conference, GE Commercial Motion and Debtor's motions be heard together as all are inextricably connected. Moreover, this will maximize use of the Court's limited time by consolidating the series of hearings to a single date. Finally, the principal of the Debtor, Mr. Steffen Waltz is scheduled to be in Germany for the celebration of his Mother's birthday through December 2, 2009. The testimony of Mr. Waltz is critical to the case of the Debtor.

7. Debtor seeks a continuance of the hearing on GE Commercial's Motion as it would be appropriate for the hearing on GE Commercial's Motion to be held at the same time as the Status Conference and the Debtor's motions.

8. Accordingly, Debtor seeks a continuance of the hearing on GE Commercial's Motion set for December 3, 2009 at 1:30 p.m. to December 7, 2009 at 1:30 p.m.

9. This continuance is not sought for purposes of hindering or delaying this proceeding, but that justice may be done.

**WHEREFORE, PREMISES CONSIDERED,** 1300 Campbell, L.P., Debtor herein, respectfully prays for an order of this Court continuing the hearing set for December 3, 2009 at 1:30 p.m. to December 7, 2009 at 1:30 p.m., or such other time the Court deems acceptable, and for such other relief, at law or in equity, as it may be shown justly entitled.

Dated this the 20<sup>th</sup> day of November, 2009.

Respectfully submitted,

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By: /s/ Joseph F. Postnikoff  
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COUNSEL FOR DEBTORS IN POSSESSION

### **CERTIFICATE OF CONFERENCE**

I hereby certify that I have conferred with F. Beth Morgan, counsel for GE Commercial Finance Business Property Corporation fka General Electric Capital Business Asset Funding, and am advised the Motion is opposed.

/s/ Joseph F. Postnikoff  
Joseph F. Postnikoff

## **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on the 20<sup>th</sup> day of November, 2009, a copy of the foregoing Motion was served by first-class U.S. Mail, postage prepaid on the persons named on the attached service list.

/s/ Joseph F. Postnikoff

Joseph F. Postnikoff

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